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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,389	08/15/2001	Kishore M.N.	MS1-926US	1581
22801	7590	04/21/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			NGUYEN, LE V	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/931,389

Applicant(s)

M.N. ET AL.

Examiner

Le Nguyen

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Gayraud et al. ("Gayraud").

As per claim 7, Gayraud teaches a method comprising receiving a GUI comprising a GUI parent having GUI children, the GUI children having positions within the GUI parent (figs. 3A, 4A-5E and 8; col. 8, lines 39-40) and dividing the GUI parent into sectors based on the positions of the GUI children within the GUI parent (col. 8, lines 24-33).

As per claim 8, Gayraud teaches a method wherein each sector includes at least one of the GUI children (fig. 8; col. 13, line 58 through col. 14, line 60).

As per claim 9, Gayraud teaches a method comprising mapping each of the GUI children to at least one of the sectors (fig. 8; col. 13, line 58 through col. 14, line 60; *each bit is mapped to a pixel on the display*).

As per claim 10, Gayraud teaches a method comprising linking a cursor to one of the GUI children using the mapping (col. 8, lines 24-33; col. 9, lines 16-26; col. 13, line 58 through col. 14, line 60).

Claims 1-6 and 11 are individually similar in scope to the combination of claims 9 and 10 and are therefore rejected under similar rationale.

As per claim 18, Gayraud teaches a method comprising dividing a GUI parent having GUI children into sectors (col. 8, lines 24-33), mapping each of the GUI children to at least one of the sectors (fig. 8; col. 13, line 58 through col. 14, line 60), linking a cursor to one of the GUI children using the mapping (col. 8, lines 24-33; col. 9, lines 16-26; col. 13, line 58 through col. 14, line 60) and painting one of the GUI children based on the linking (col. 3, lines 29-44; col. 7, lines 8-11).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gayraud et al. ("Gayraud") in view of Thompson et al. ("Thompson").

As per claim 12, although Gayraud teaches a method comprising dividing a GUI parent associated with an operating system into operating system sectors (fig. 1B; col. 5, lines 15-36; col. 8, lines 24-27 and 49-57; *the client area associated with an operating system may be divided into sectors*) and dividing a GUI parent associated with other applications and/or operating systems into sectors (figs. 1(B-C); col. 8, lines 24-42; col. 8, line 62 through col. 9, line 3), Gayraud does not explicitly disclose the other

applications and/or operating systems to be a framework. Thompson teaches the use of hit testing in a framework (sections [0040], [0060], [0078], [0097] and [0099]). Therefore it would have been obvious to an artisan at the time of the invention to include Thompson's use of hit testing in a framework to Gayraud use of hit testing in an operating system in order to provide users <sup>a way</sup> ~~in order~~ to track users' cursor movements. KK

As per claim 13, the modified Gayraud teaches a method wherein the GUI parent associated with a framework comprises GUI children (Gayraud: col. 8, lines 24-42; col. 8, line 62 through col. 9, line 3).

As per claim 14, the modified Gayraud teaches a method comprising mapping each of the GUI children to at least one of the framework sectors (Gayraud: fig. 8; col. 13, line 58 through col. 14, line 60).

As per claim 15, the modified Gayraud teaches a method comprising linking a cursor to one of the GUI children using the mapping (Gayraud: col. 8, lines 24-33; col. 9, lines 16-26; col. 13, line 58 through col. 14, line 60).

As per claim 16, the modified Gayraud teaches a method comprising creating a map that maps operating system sectors to the operating system and maps framework sectors to the framework (Gayraud: fig. 8; col. 13, line 58 through col. 14, line 60).

As per claim 17, the modified Gayraud teaches a method wherein the map includes information related to GUI children (Gayraud: fig. 8; col. 13, line 58 through col. 14, line 60; *each bit is mapped to a pixel on the display*).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Volk et al. (US 5,687,331) teach a method and system for displaying an animated focus item.

Brown et al. (US 5,764,215) teach a method and system for generating a global hit test data structure using scan line compression of windows in a GUI.

Craycroft et al. (US 5,838,315) teach a support for custom user interaction elements in a graphical, event-driven computer system.

Clark (US 5,307,451) teaches a method and apparatus for generating and manipulating graphical data for display on a computer output device.

Epelman-Wang et al. (US 5,737,554) teach a system and method of using object sensitivity for selecting computer-generated objects.

Alexander (US 6,049,325) teaches a system and method for efficient hit-testing in a computer-based system.

Alexander (US 6,229,525 B1) teaches a system and method for efficient hit-testing in a computer-based system.

### ***Inquires***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is (571)

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**272-4068.** The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN  
Patent Examiner  
April 11, 2005

*Kristine Kincaid*  
KRISTINE KINCAID  
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